

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14799 of 2022

Rashmi Ranjan Kar

....

Petitioner

Mr. Sanjay Ranjan Mulia, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S. Patra, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

22.12.2022

Order No.

- 02.
1. Heard learned counsel for the Petitioner and the State.
 2. By means of this application, the Petitioner seeks grant of bail under Section 438, Cr.P.C. in anticipation of arrest for his alleged involvement in the offence under Sections 420/407/379/34, I.P.C. in connection with Jakhapura P.S. Case No.126 of 2022 corresponding to C.T. Case No.1477 of 2022 pending in the Court of learned J.M.F.C., Jajpur Road.
 3. It is submitted by learned counsel for the Petitioner that the vehicle bearing Regd. No. OR04E2171 of which the present Petitioner is owner engaged with the Sukinda Mineral Truck Owner Association for last several years and is being looked after by the

said Association. Consequently, the Petitioner was not aware of the kind of material being loaded and unloaded and it's quality.

4. It is submitted by learned counsel for the State that there appears no criminal antecedent against the present Petitioner.

5. In such view of the matter, this Court while not inclined to grant anticipatory bail, directs that in the event the Petitioner surrenders before the court in seisin over the matter and moves for bail, the learned court shall consider his application keeping in view the fact that there is no criminal antecedent stands to his credit and shall dispose of the bail application of the Petitioner on the same day. In case the court intends to grant bail, shall do so on such terms and conditions as would be deemed just and proper, so also with the conditions that the Petitioner shall tender an undertaking that he shall not engage his vehicle in carrying/transporting any stolen articles including stone in any manner but with proper documentation. Violation of the terms and conditions shall entail the bail automatically stands cancelled

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo/AKPradhan